

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
NWC Courtleigh Drive and
Lages Lane
3325 Courtleigh Drive
2nd Election District
2nd Councilmanic District
Herbert R. Shannon, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-398-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Herbert R. and Leslie A. Shannon, for that property known as 3325 Courtleigh Drive in the Mayfield Subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1801.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a rear yard setback of 17 ft. in lieu of the required setback of 30 ft. for a proposed addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of June, 1993 that the Petition for a Zoning Variance from Section 1801.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a rear yard setback of 17 ft., in lieu of the required setback of 30 ft. for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 17, 1993

Mr. and Mrs. Herbert R. Shannon
3325 Courtleigh Drive
Baltimore, Maryland 21207

RE: Petition for Administrative Variance
Case No. 93-398-A
3325 Courtleigh Drive

Dear Mr. and Mrs. Shannon:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 807-3391.

Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3325 Courtleigh Drive
which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3B. (211.4) to permit a rear yard setback of 17' in lieu of the required setback of 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
Additional living area is needed to accommodate the needs of our family. In order to maintain the existing setbacks of the houses along Courtleigh Drive and Lages Lane and because an existing sliding door and concrete slab exists to the rear where the addition is proposed, this is the most practical location.
If the variance is not granted, practical difficulty and unreasonable hardship would result. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):
Herbert R. Shannon
Leslie A. Shannon
3325 Courtleigh Drive
Baltimore, Md.
8255 Vosges Road 21207 922-8500

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 18th day of June, 1993, that the subject matter of this petition be set for a public hearing, advertisement as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: DATE: ITEM #:

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/so presently reside at 3325 Courtleigh Drive
Balto., Md.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)
Additional living area is needed to accommodate the needs of our family. In order to maintain the existing setbacks of the houses along Courtleigh Drive and Lages Lane and because an existing sliding door and concrete slab exist to the rear where the addition is proposed, this is the most practical location. If the variance is not granted, practical difficulty and unreasonable hardship would result.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Herbert R. Shannon
Leslie A. Shannon

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 18th day of May, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Herbert R. Shannon
Leslie A. Shannon

the Affiant(s) hereinafter personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters hereinbefore stated are true and correct to the best of his/her/their knowledge and belief.

AS WITNESSED, my commission expires: _____
Notary Public
My Commission Expires: _____

3325 COURTLEIGH DRIVE

Variance Description

Located on the northwest corner of Courtleigh Drive and Lages Lane and known as lot 2 Block D Plat No. 1 as shown on the plat of Mayfield, which is recorded in the land records of Baltimore County in plat book W.J.R. No. 27 Folio 55. Also known as 3325 Courtleigh Drive.

93-398-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPTS
DATE: 5-11-93 ACCOUNT: R-001-6650
RECEIVED FROM: SHANNON
FOR: ADM. VARIANCE
03A03H014SMICHC
BA-0010-03A03H014SMICHC
VALIDATION ON SIGNATURE OF CARRIER
ITEM # 409

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2.3.4 Date of Posting: 5/26/93
Posted for: Variance
Petitioner: Herbert R. Shannon, et ux
Location of property: 3325 Courtleigh Dr. at Lages Lane
Location of Sign: Front of property
Remarks: Variance
Posted by: [Signature] Date of return: 5/26/93
Number of Signs: 1

111 West Chesapeake Avenue
Towson, MD 21204

June 4, 1993

Mr. and Mrs. Herbert R. Shannon
3325 Courtleigh Drive
Baltimore, Md 21207

RE: Case No. 93-398-A, Item No. 409
Petitioner: Herbert R. Shannon, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Shannon:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on May 13, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

WCR:hek
Enclosures
cc: Mr. Larry Sinman
8235 Vossage Road
Baltimore, Md 21207

SHIA
Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-20-93

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 409 (ET)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: June 3, 1993

SUBJECT: 3325 Courtleigh Drive

INFORMATION:

Item Number: 409 93-398-A
Petitioner: Herbert R. Shannon and Leslie A. Shannon
Property Size: _____
Zoning: D.R. 5.5
Requested Action: _____
Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, staff recommends that approval of the request be subject to a condition that any improvement be generally compatible with the built environment of the neighborhood.

Prepared by: Jeffrey M. Long

Division Chief: Doug L. Lewis

PK/JL:lw

409.2AC/2AC1

Page 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee Date: May 26, 1993

FROM: Captain Jerry Pfeifer
Fire Department

SUBJECT: Comments for 06/01/93 Meeting

Item 371	No Comments
Item 406	No Comments
Item 407	No Comments
Item 408	No Comments
Item 409	No Comments
Item 410	Building shall be built in accordance with the 1991 Life Safety Code.
Item 411	No Comments
Item 412	No Comments
Item 413	No Comments
Item 415	If the building the canopy is attached to is sprinklered and the area under the canopy is to be used for storage, then the canopy would have to be sprinklered.

JP/dmc

RECEIVED
MAY 27 1993
ZADM

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

May 20, 1993

(410) 887-3353

Herbert and Leslie Shannon
3325 Courtleigh Drive
Baltimore, Maryland

Re: CASE NUMBER: 93-398-A (Item 409)
3325 Courtleigh Drive
BMC Courtleigh Drive and Lages Lane
2nd Election District - 2nd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 30, 1993. The closing date (June 14, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

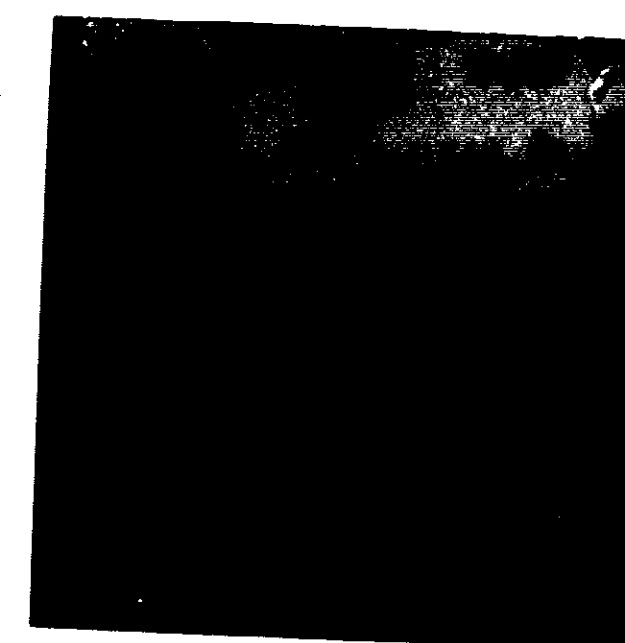
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Arnold Jablon
Director

cc: Larry Sinman

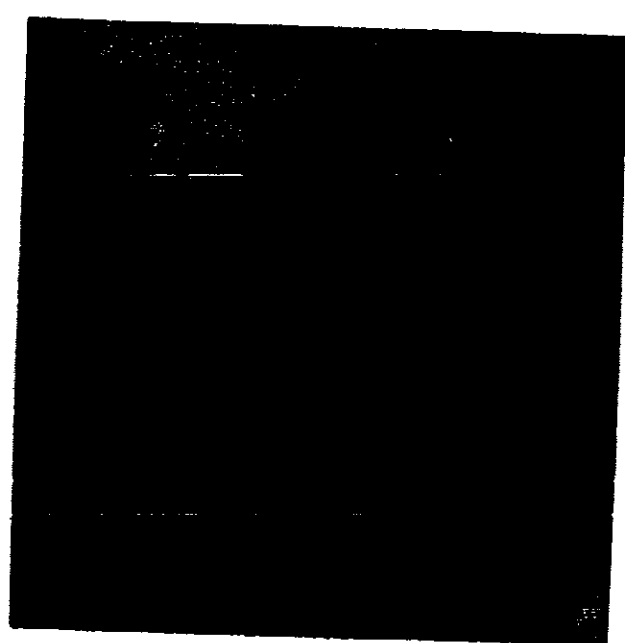
93-398-A



FRONT
ITEM #409



NORTHERMOST SIDE
ITEM #409



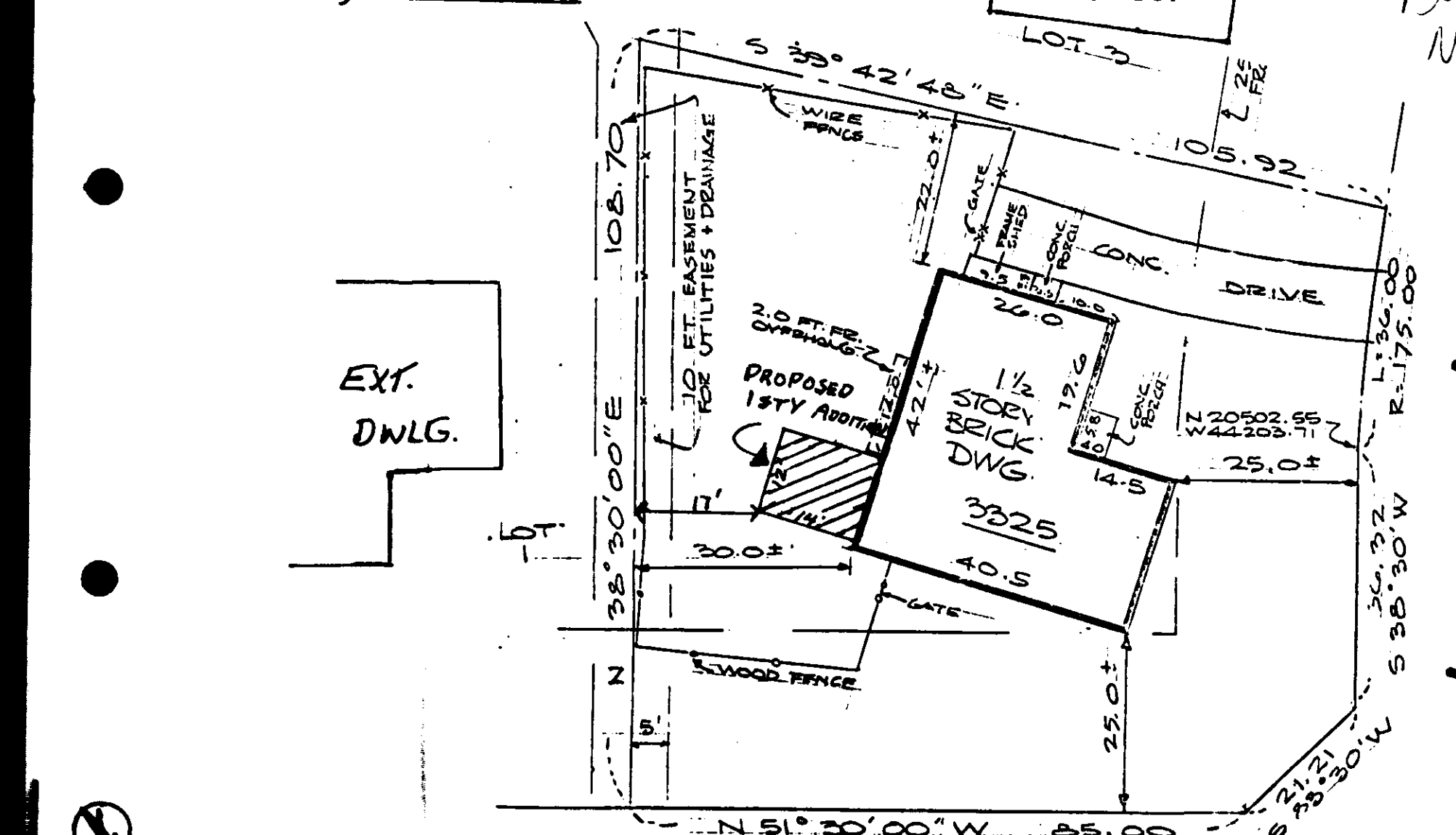
NORTHWEST
ITEM #409 SIDE



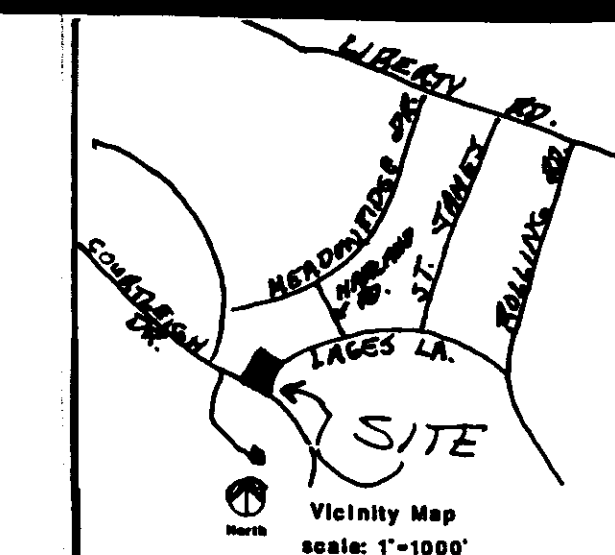
REAR
ITEM #409

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3325 COURTLEIGH DRIVE
Subdivision name: MAYFIELD
Plot book: 27, folio 55, page 2, section 2
OWNER: SHANNON, HERBERT & LESLIE



North
date: 5/14/93
prepared by: NBC
Scale of Drawing: 1" = 20'

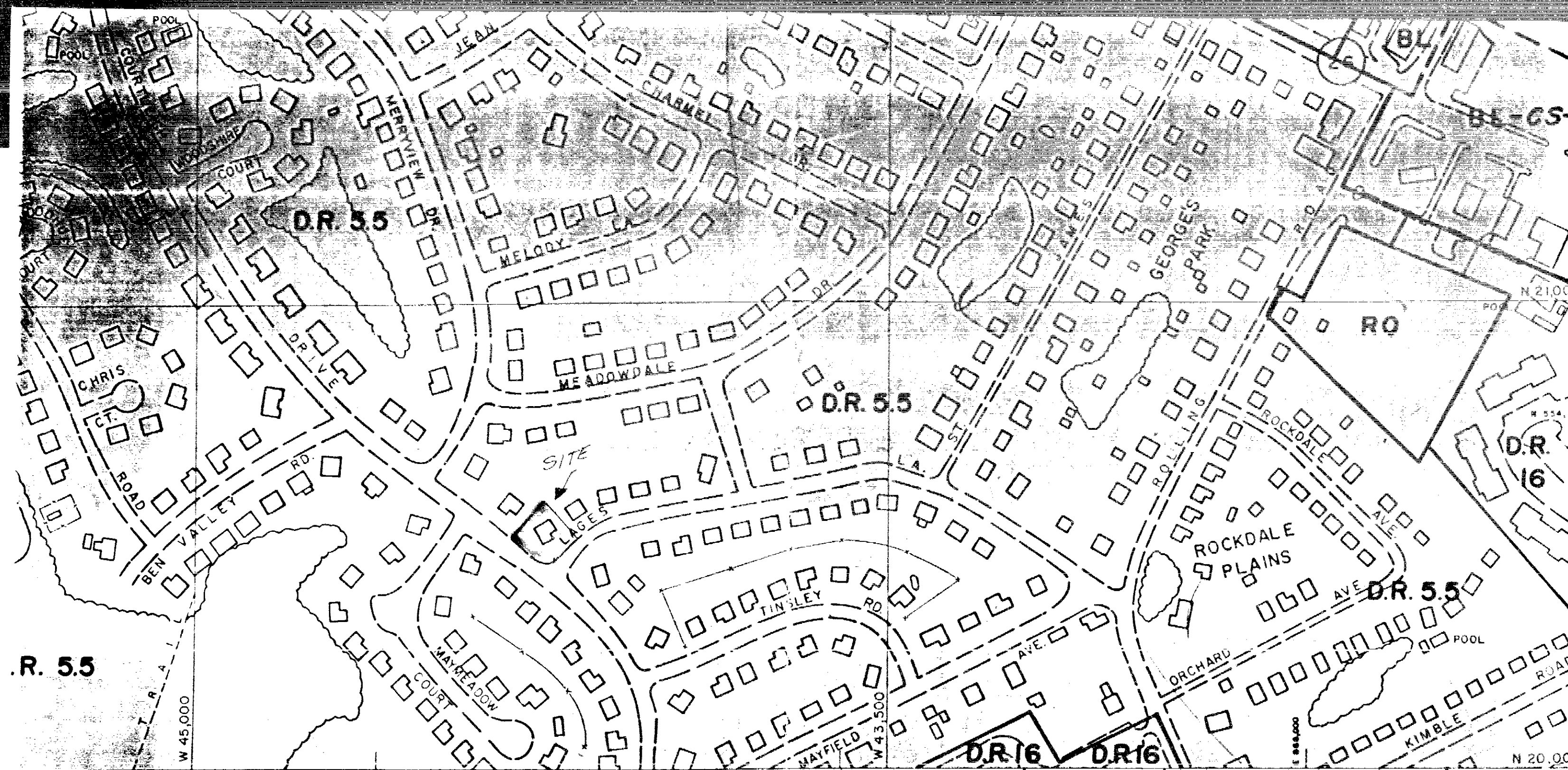


LOCATION INFORMATION	
Election District:	2
Councilmanic District:	2
1"-200' scale map:	NW 6-H
Zoning:	D.R. 5.5
Lot size:	acreage square feet
BSEWER:	<input checked="" type="checkbox"/>
WATER:	<input checked="" type="checkbox"/>
Chesapeake Bay Critical Area:	<input checked="" type="checkbox"/>
Prior Zoning Hearings:	NONE
Zoning Office USE ONLY	
reviewed by:	ITEM #1 CASE#
RT	409

Lages Ln.
(50' R/W)

Courtleigh Dr
(60' R/W)

93-398-A



BALTIMORE COUNTY PLANNING AND ZONING AL ZONING MAP		1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992 <small>Ord. Nos. 183-92, 154-92, 185-92, 186-92, 187-92, 188-92, 189-92</small>	SCALE 1" = 200' ±	LOCATION ROCKDALE ITEM# 409	SHEET N.W. 6-H
<i>William A. Howard</i> Chairman, County Council		DATE OF PHOTOGRAPHY JANUARY 1986			

93-398-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
 MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION ROCKDALE ITEM# 409	SHEET NW 6-H
DATE OF PHOTOGRAPHY JANUARY 1986		

93-398-A